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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,969	08/30/2001	Kay-Yut Chen	10004567-1	2217

22879 7590 11/13/2009  
HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
3404 E. Harmony Road  
Mail Stop 35  
FORT COLLINS, CO 80528

EXAMINER
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ROBERTSON, DAVID

ART UNIT	PAPER NUMBER
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2121

NOTIFICATION DATE	DELIVERY MODE
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11/13/2009

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

JERRY.SHORMA@HP.COM  
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UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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*Ex parte* KAY-YUT CHEN

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Application No. 09/944, 969  
Technology Center 2100

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Mailed: November 13, 2009

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Before DELORES LOWE, *Review Team Paralegal*  
LOWE, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received by the Board of Patent Appeals and Interferences on November 9, 2009. A review of the application revealed that it is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner to address the following matter requiring attention prior to docketing.

EXAMINER'S ANSWER, MISSING SIGNATURES

An appeal conference is mandatory in all cases in which an acceptable appeal brief has been filed and a determination to move forward on appeal has been made. The participants of the appeal conference should include (1) the examiner charged with preparation of the examiner's answer, (2) a supervisory patent examiner (SPE), and (3) another examiner, known as a conferee, having sufficient experience to be of assistance in the consideration of the merits of the issues on appeal. On the examiner's answer, below the primary examiner's signature, the word "Conferees:" should be included, followed by the typed or printed names of the other two appeal conference participants. These two appeal conference participants must place their initials next to their name. The answer must also include the signature of a TC Director or designee to indicate that he or she approves any new grounds of rejection, if presented.

A review of the file finds that the examiner's answer is missing either at least one typed/ printed name of the appeal conference participants and/or is missing at least one initial or signature to make the record clear the appeal conference was held in accordance with MPEP § 1207.01. Therefore, correction is required.

CONCLUSION

Accordingly, it is ORDERED that the application is returned to the Examiner:

- 1) to obtain the TC Director signature; and
- 2) for such further action as may be appropriate.

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

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